

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2013-55-C**

In Re:	)	
	)	
South Carolina Telephone Coalition Petition	)	
to Modify Alternative Regulation Plans Filed	)	<b>South Carolina Cable Television</b>
Pursuant to S.C. Code Ann. § 58-9-576(B) to	)	<b>Association's Petition to Intervene</b>
Take Into Account Recent Action by the	)	
Federal Communications Commission	)	
	)	
	)	

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The South Carolina Cable Television Association (“SCCTA”) submits this petition to the Public Service Commission of South Carolina (“Commission”), pursuant to 26 S.C. Regs. 103-825 and other applicable rules and regulations, for permission to intervene in the above-captioned proceeding. In support of this petition, SCCTA would show the following:

**Interest of SCCTA in This Proceeding**

1. The SCCTA is an association of communications companies providing a variety of services in South Carolina including video, voice and broadband services. The members of the SCCTA compete with the companies that are members of the South Carolina Telephone Coalition (“SCTC”) and, with respect to voice services, compete with the SCTC companies in providing the services for which the SCTC seeks in this proceeding to increase the maximum rate. Because of their status as competitors of the members of the SCTC, the SCCTA and its members have a direct and significant interest in this proceeding.

2. The members of the SCCTA also comply with the orders of this Commission in charging their customers the South Carolina Universal Service Fund (“USF”) surcharge or tax and remitting the proceeds to the Office of Regulatory Staff. The change in maximum rate proposed by the SCTC in this proceeding will have a direct impact on the operation of the USF. The SCCTA has a direct and significant interest in this proceeding because of the impact it will have on the USF.

### **Grounds for Intervention and Position of the SCCTA**

3. The SCCTA supports the increase in maximum rate for basic local residential service as proposed by the SCTC. The SCCTA agrees that the rate should be increased on an expedited basis.

4. Following the increase in the maximum rate the Commission must proceed to make appropriate adjustments to the USF. S.C. Code Section 58-9-280(E)(4) provides the following about the size of the USF:

The size of the USF shall be determined by the commission and shall be the sum of the difference, for each carrier of last resort, between its costs of providing basic local exchange services and the maximum amount it may charge for the services.

Because the size of the USF is based on the maximum rate that can be charged instead of the actual rate that is being charged, the change requested by the SCTC will require an adjustment in the size of the USF without regard to whether or when actual rate changes are made by the affected companies.

5. The Commission’s orders implementing the USF provide a mechanism for adjusting the size of the USF based on changes such as that requested by the SCTC. In Order No. 2001-996 in Docket No. 97-239-C the Commission approved Guidelines and Administrative Procedures for implementing the “Phase-In” plan, including

Attachments II, III, IV and V to the Guidelines and Administrative Procedures. The sample spreadsheets contained in those attachments provide the mechanism for updating the USF over time depending on changes in circumstances such as the proposed change in the maximum rate for basic residential service.

6. The Commission should require the SCTC companies to complete the appropriate forms for updating and adjusting the amount of subsidy each of them takes from the USF, and the USF should be adjusted based on that new information.

WHEREFORE, SCCTA requests the following relief:

- That it be made a party to this action with full rights to participate as such;
- That the relief requested by the SCTC be granted on an expedited basis;
- That the Commission issue appropriate orders to implement adjustments to the USF as described in paragraphs 4 through 6 of this petition.

Dated this 5th day of March, 2013.

ROBINSON, MCFADDEN & MOORE, P.C.



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Cable Television Association

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**CERTIFICATE OF SERVICE**

This is to certify that I, Toni C. Hawkins, a Paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below **South Carolina Cable Television Association's Petition to Intervene** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

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Margaret M. Fox, Esquire  
McNair Law Firm, P.A.  
Post Office Box 11390  
Columbia, South Carolina 29211

Nanette S. Edwards, Esquire  
SC Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

Dated at Columbia, South Carolina this 5th day of March, 2013.



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Toni C. Hawkins